

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office  
FLOOR DEBATE

May 9, 2001

LB 464, 465

some of my colleagues. I am not...I am not sure that I want to increase the expenditures. I've been told by Senator Wickersham going to the five-member commission would be perhaps \$300,000, as an estimate, I believe George said that. Is that per year, if you could nod, or for a biennium? I'm not sure. I'll let Senator Wehrbein go into that in more detail. Another thing about it...about the process that would be changed if we don't adopt the Senator Wehrbein amendment, under the present three-member commission panel we say that one commissioner can hear a case and then I think it must be approved and confirmed by a quorum of the commission in order to be an order of the commission. Under the five-member proposal there would be a panel of three that could hear a case. And as I read it, it would be then...it would be a binding order. It's very possible, as it is in the court of appeals, where you have three-member panels, that you could have a similar set of facts and a similar case and you could have a different result by one three-member panel versus another three-member panel under the five-member proposal. Is that reason in itself not to do five? No, but it's something to think about if we're not sure that going to five will really be helpful. So for those reasons, and I'll wait to hear with the fiscal impact is, which I'm concerned about, I will stand in support of the Wehrbein amendment. Thank you.

PRESIDENT MAURSTAD: Thank you, Senator Bromm. Senator Wehrbein.

SENATOR WEHRBEIN: Mr. Speaker, members, there is a fiscal note on LB 464 that you can look at yourself, it was a Senator Wickersham bill that he introduced that did increase it from three to five. And in that...the fiscal note on that is \$238,000 the first year, \$227,000 the second year for an increase of two commissioners. There are a couple of other issues in that, but as near as I can tell, it doesn't have...it has very little to do with the cost. So that would be a reasonably accurate figure including support staff, capital outlay and that type of thing, benefits and things like that. So with that, I'd consider that a fairly accurate fiscal note. So instead of the estimate that I gave, which was far too low of 100, it's more like 230, 235...235,000 each year. I think